

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

LEVELTREE CONSULTING, INC.,

Civil No. 05-1344 (RHK/JSM)

Plaintiff,

v.

ORDER

MARK A. AMBERT, and
DOREEN M. AMBERT,

Defendants.

The Clerk of Court has informed the Court that the lone Plaintiff in this action, Leveltree Consulting, Inc., which purports to be a Minnesota corporation, is not represented by counsel in this matter. Instead, an individual named Frank Seidel, who claims to be an officer and shareholder of Leveltree, Inc., is attempting to represent the Plaintiff corporation.

It is well-settled, however, that a corporation can appear in a federal court case only by an attorney who is admitted to practice before the court. Rowland v. California Men's Colony, Unit II Men's Advisory Council, 506 U.S. 194, 201-02 (1993) (“[i]t has been the law for the better part of two centuries... that a corporation may appear in federal courts only through licensed counsel”); Carr Enterprises, Inc. v. United States, 698 F.2d 952, 953 (8th Cir. 1983) (“It is settled law that a corporation may be represented only by licensed counsel. [Citation omitted.] While 28 U.S.C. § 1654 protects parties['] rights to plead and conduct their own cases, that right has never been interpreted to allow an individual to appear for a corporation pro se.”).

Therefore, Plaintiff Leveltree Consulting, Inc. will be required to retain counsel to represent it in this matter. Within the next fourteen (14) days, Plaintiff must retain an attorney, and that attorney must file a

formal notice of appearance confirming that he or she will be representing Plaintiff in this action. If that does not occur, this action will be summarily dismissed without prejudice.

Based upon the foregoing, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

Within fourteen (14) days after the date of this order, Plaintiff shall have retained an attorney to represent it in this matter, and that attorney shall have filed a formal notice of appearance as counsel of record for Plaintiff, failing which this action will be summarily dismissed without prejudice.

Dated: July 27, 2005

s/Richard H. Kyle
RICHARD H. KYLE
United States District Court Judge